

SCHOOLCRAFT COLLEGE
18600 Haggerty Road, Livonia, Michigan 48152-2696

LITIGATION HOLD

Pursuant to case law and amendments to the Federal Rules of Civil Procedure, present and future records that are related to litigation, or evidence that could become relevant in a later dispute, must be preserved.

This procedure applies to all College staff and covers all records, regardless of form, made or received in the transaction of College business.

LITIGATION HOLD COMMITTEE MEMBERS

Vice President and Chief Financial Officer - Chair
Vice President and Chief Academic Officer
Vice President and Chief Student Affairs Officer
Vice President and Chief Information Officer
Executive Director of Human Resources

LITIGATION HOLD COMMITTEE RESPONSIBILITIES

Each of the Litigation Hold Committee members is responsible for the representation of the College in all litigation hold matters. The committee will:

- 1) Determine whether to initiate a litigation hold and identify affected College staff/departments subject to the hold.
- 2) Inform affected staff/departments to identify and preserve all evidence that may be relevant to the litigation hold.
- 3) Manage and monitor litigation hold progress until the litigation hold is lifted.

- 4) Work with the CIO to assist with compiling specific electronic information required for the litigation hold. Information preservation methods may include, but are not limited to:

- Desktop and laptop hard drives
- Portable storage devices
- Mail server
- Web server
- Back-up tapes
- Campus Police security videos
- Voice mail
- Digital cameras

STAFF/DEPARTMENT RESPONSIBILITIES

Staff members may be asked to cooperate with the Litigation Hold Committee to ensure that proper identification and preservation of all potential sources of data are collected and secured.

Upon notice of a litigation hold, affected College staff must do the following:

- Acknowledge receipt, understanding and compliance with a litigation hold without undue delay to the Litigation Hold Committee.
- Immediately suspend deletion, overriding, or any other destruction of records relevant to the litigation hold that are under staff's control. This includes paper and electronic records such as hard drives of College work station computers, laptops or computers at their home, flash drives, CD-ROMs, memory sticks, tapes, zip disks, PDAs, etc.
- Data must be preserved so that the information can be retrieved at a later time and preserved in its original paper, electronic or video form. Data should be captured as soon as possible and the process of making copies of evidence should be witnessed and signed off by a second party. Affected staff members are encouraged to contact Information Services Department with any questions concerning suggested methods for preserving electronic records.
- Preserve any new information (paper, electronic or video) that is generated after receipt of the litigation hold notice that is relevant to the subject of the notice.

- Immediately notify the Litigation Hold Committee if any staff member becomes aware of any litigation, threat of litigation, or other legal action, or an investigation by any administrative, civil or criminal authority.

EMPLOYMENT TERMINATION

If an affected staff member separates from employment during the course of a litigation hold, department heads or Directors must take possession of any and all evidence under the control of the separated employee and notify the Litigation Hold Committee.

VIOLATIONS

Violations of this procedure are subject to disciplinary action up to and including discharge.

RELEASE OF LITIGATION HOLD

The Litigation Hold Committee will determine and communicate to affected staff and departments when a litigation hold may be lifted and evidence is no longer preserved.

Adopted—Cabinet
May 20, 2008
Reviewed—Cabinet
August 5, 2008
Title Changes—Cabinet
April 17, 2018
Revised—VP and CFO
August 1, 2019